

### REMARKS

Claims 1-16 are pending in the application. These claims were rejected as follows:

Claims / Section	35 U.S.C. Sec.	References / Notes
5, 9	Objection	<ul style="list-style-type: none"><li>• Typographical/grammatical error</li></ul>
1-16	§102(e) Anticipation	<ul style="list-style-type: none"><li>• Westermann (U.S. Patent No. 6,549,633).</li></ul>

5 Applicants have amended claims 5 and 9 in accordance with the Examiner's suggestions and thank the Examiner for pointing these errors out. Applicants have further corrected a typographical error in claim 16.

Applicants note that the drawings were objected to by the Examiner, but can find no further basis for the objection of drawings discussed in the OA.

10 Applicants will submit corrected drawings once the basis for the objection is known. The Examiner is welcome to contact the Applicants' representative identified below for clarification.

Applicants have amended independent claims 1 and 9, and added new independent claim 19 for consideration. Applicants have further added  
15 dependent claims 17 and 18 that present additional embodiments for consideration by the Examiner. Applicants have provided discussion below for distinguishing the present invention, with claims as amended, from the Westermann prior art cited by the Examiner.

Applicants' use of reference characters below is for illustrative purposes  
20 only and is not intended to be limiting in nature unless explicitly indicated.

**35 U.S.C. §102(e), CLAIMS 1-16 ANTICIPATION BY WESTERMANN**

1. *Westermann fails to teach the derivation of first oscillation values that are subsequently transmitted by one first unit to a comparator of a second unit that then compares the first oscillation values with second oscillation values and*  
5 *utilizes an oscillation value output to reduce feedback.*

According to amended independent claims 1 and 9 (and new claim 19), only the derived identified oscillation values are transmitted over the communications link for comparison in the respective unit, which greatly reduces the amount of data occurring over the communication link, greatly reduces the  
10 amount of power used by the comparator, and respectively significantly reduces the amount of energy required to operate the device. This is of utmost importance in, e.g., hearing aid devices which have a limited power supply.

In contrast, Westermann discloses only a transmission of pre-processed data between the respective units. As illustrated in Fig. 2, the microphone 18r  
15 signal is provided to an A/D converter 19r and its digital output is provided to a linearity control unit 20r in which the signal is processed to compensate for nonlinearity of the microphone and the sound perception in the ear (see 6/23-26).

However, the output of this is still a pre-processed digital signal (6/26-27). This signal may then be provided to a compressor unit 128r to reduce the dynamic  
20 range, the band width and/or the number of samplings prior to transmission over the bi-directional communications link 28r. Westermann fails to disclose the transmission of identified oscillation values that can be transmitted and used with minimal effort, energy, and cost by the comparator of a respective device, but rather requires substantial communications link bandwidth and transmission /

processing power to accomplish the comparison with such pre-processed data. Applicants do not understand the claimed combination of features to be obvious based on any combination of Westermann and the art not relied upon by the Examiner.

5 For these reasons, the Applicant asserts that the amended claim language clearly distinguishes over the prior art, and respectfully request that the Examiner withdraw the §102(e) rejection from the present application.

### CONCLUSION

10 Inasmuch as each of the objections have been overcome by the amendments, and all of the Examiner's suggestions and requirements have been satisfied, it is respectfully requested that the present application be reconsidered, the rejections be withdrawn and that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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### 25 CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on March 15, 2005.

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Mark Bergner Attorney for Applicants